



General Assembly

January Session, 2007

Proposed Bill No. 587

LCO No. 702

Referred to Committee on Judiciary

Introduced by:

SEN. GUGLIELMO, 35th Dist.

**AN ACT CONCERNING THE ADMISSIBILITY OF THE STATEMENT OF
A CHILD CONCERNING SEXUAL MISCONDUCT.**

Be it enacted by the Senate and House of Representatives in General
Assembly convened:

1 That the general statutes be amended to provide that a statement by
2 a child under the age of sixteen relating to sexual misconduct
3 committed with or against that child, or sexual misconduct against
4 another child witnessed by the declarant, shall be admissible in a
5 criminal, juvenile or civil proceeding if the proponent of the statement
6 makes known to the adverse party his intention to offer the statement
7 and the particulars of the statement at such time as to provide the
8 adverse party with a fair opportunity to prepare to meet it, if the court
9 finds, on the basis of the time, content and circumstances of the
10 statement there is a probability that the statement is trustworthy, and
11 either the child testifies at the proceeding or the child is unavailable as
12 a witness and there is offered admissible evidence that the alleged
13 offender had the opportunity to commit the offense; and that, for
14 purposes of this act, the term "child" includes a person who is
15 chronologically sixteen years or older, but has a mental or
16 developmental age under sixteen by reason of mental retardation or

17 developmental disability.

Statement of Purpose:

To establish a tender years exception to the hearsay rule.